

FILED
NOV 18 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

EDWARD W. SCOTT,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)
_____)

Civil Case No. 08-1295-PK

O R D E R

David B. Lowry
Columbia Business Center
9900 SW Greenburg Road, Suite 235
Portland, Oregon 97223

Attorney for Plaintiff

Kent S. Robinson
Acting United States Attorney
District of Oregon
Adrian L. Brown
United States Attorney's Office
1000 SW Third Avenue, Suite 600
Portland, Oregon 97204

Richard A. Morris
Social Security Administration
701 Fifth Avenue, Suite 2900 M/S 901
Seattle, Washington 98104-7075

Attorneys for Defendant

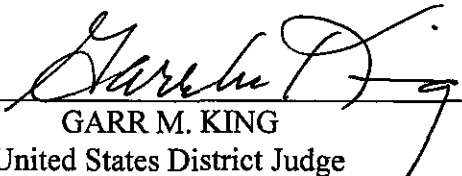
KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on October 28, 2009. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation dated October 28, 2009 (#37) in its entirety.

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Plaintiff's First Amended Complaint (#33) is GRANTED.

DATED this 18 day of November, 2009.


GARR M. KING
United States District Judge